



INSTRUCTIONS
for obtaining a

**Permit by Notification
for
Truck Transfer Station**

pursuant to
RSA 149-M and New Hampshire Solid Waste Administrative Rules Env-Wm 311 & Env-Wm 2107.05

Read these instructions before completing the attached form. For additional assistance contact the New Hampshire Department of Environmental Services (DES) Permitting & Design Review Section (P&DRS) at (603) 271-2925 or the below noted mailing address or TDD Access: Relay NH 1-800-735-2964.

Note: All references on this form beginning with "Env-Wm" are citations from the New Hampshire Solid Waste Rules (Rules). To obtain a copy of the Rules, contact the DES Public Information Center at either (603) 271-2975 or the above noted TDD Access. The Rules are also available on the Internet at www.des.state.nh.us.

Complete the attached form to obtain a "permit-by-notification" to operate a truck transfer station, subject to the operation requirements specified in Env-Wm 2107.05.

Before completing this form, verify that your facility is NOT permit-exempt pursuant to Env-Wm 302.03 or Env-Wm 2108. Contact the P&DRS at (603) 271-2925 for assistance, if required.

All requested information must be provided as indicated on the attached form. Do **NOT** skip any question, unless instructed to do so. Do **NOT** mark any question "not applicable." If you need more space than provided on the form to answer a particular question and are using a paper copy of this form, attach additional pages as necessary; mark each page clearly to show both the applicant name and the question being answered; and indicate on the form that the additional pages are attached. If you are using a disk version of this form and need more space to answer a particular question, you may create the additional space on the form itself by following the instructions provided on the disk. However, do **NOT** alter the form in any other way.

Submit **FOUR** copies of the completed form, **EACH bearing ORIGINAL signatures**, to:

**NH Department of Environmental Services (DES)
Waste Management Division (WMD), Permitting & Design Review Section (P&DRS)
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095**

Include postage paid legal sized envelopes addressed, in type written or handwritten block letters, to yourself (i.e., the property owner/applicant), the host municipality, and the host solid waste management district. If you require assistance in determining the latter, contact the host town/city offices or the DES Planning and Community Assistance Section at (603) 271-2900.

A permit-by-notification can only be issued based on complete and accurate information. **Therefore, failure to follow these instructions as specified shall result in DENIAL of the requested permit.**

Following receipt of an application for a permit-by-notification, DES will determine whether all information is provided as specified. Response will be made by returning a copy of the completed form, marked either "granted" or "denied." If marked "granted," a permit number will be assigned and the completed form, bearing the Director's signature and DES dated receipt stamp, will serve as the facility permit. If marked "denied," the deficiencies will be noted on the form. A copy of the processed form will also be sent to the host municipality and host solid waste management district, for their information and use.



WMD Log #

Date Rec'd.:

No. of Copies:

Permit by Notification For Truck Transfer Station

pursuant to

RSA 149-M and New Hampshire Solid Waste Administrative Rules Env-Wm 311 & Env-Wm 2107.05

FOR DES OFFICE USE ONLY

Do NOT WRITE IN THIS SHADED BOX

☐ The requested permit is hereby granted and assigned permit number DES-SW-PN-_____-_____.

This completed form, bearing a DES dated receipt stamp and signature, shall serve as the permit for this facility. The approval applies only to operating the facility as described herein on this completed form, subject to all applicable statutes and rules, including RSA 149-M and the New Hampshire Solid Waste Rules, as amended. This permit shall expire one year from the date of signature, below, if facility operation has not commenced. This permit is non-transferable. Issuance of this permit is based solely on representations by the applicant/permittee. No liability is incurred by the State of New Hampshire by reason of this approval. This approval shall not affect the permittee's obligation to obtain all requisite federal, state, district or local approvals and to comply with all other applicable statutes and rules.

Anthony P. Giunta, P.G., Director, WMD

Date

☐ The requested permit is hereby denied due to:

- ☐ incomplete, conflicting or ambiguous information, as indicated by highlighting
- ☐ insufficient copies
- ☐ no signature or failure to provide original signatures on all copies filed
- ☐ other (specify): _____

Denial shall not preclude the applicant from later obtaining a permit by submitting a new application which corrects the above noted deficiency(s). Questions may be directed to the person whose business card is stapled to this form. Rights of appeal exist pursuant to RSA 21-O:9, V.

Anthony P. Giunta, P.G., Director, WMD

Date

SECTION I. FACILITY IDENTIFICATION

The information provided below shall constitute the approved facility location, if a permit is issued based on this application

(1)	Facility name:
(2)	Facility location, by street address and municipality:
(3)	Facility mailing address:
(4)	Facility status (Check which <u>ONE</u> of the following applies):
	<input type="checkbox"/> Proposed Facility (i.e., a facility not yet operating)

<input type="checkbox"/> <input type="checkbox"/>	<p>Unauthorized Facility (i.e., an existing facility without a permit) that DES has instructed to apply for this permit. (Attach a copy of the DES document that specifically instructs you to file this application).</p> <p><i>Note: An unauthorized facility must comply with all requirements applicable to a PROPOSED facility. Complete the remainder of this form on that basis.</i></p> <p>None of the above (If "none of the above", DO NOT CONTINUE. A permit-by-notification can only be issued to a facility which is one of the above. Contact the DES Solid Waste Compliance Bureau at (603) 271-2925 for further assistance).</p>
(5)	Local tax map and lot numbers:
(6)	Deed reference by county, volume and page numbers:
(7)	Latitude and longitude of a known fixed point on the site:
(8)	Written directions from a known point of reference in the vicinity of the facility site:
(9)	Plot the facility site on a United States Geological Survey (USGS) topographic map, or copy thereof, prepared at a scale of 1:24,000 or 1:25,000. Mark and submit as "Attachment I(9)."

SECTION II. FACILITY OWNER/OPERATOR IDENTIFICATION

If a permit is issued, the information provided below shall constitute the identity of the permittee. The permittee and the facility owner shall be one in the same. Further, the permittee/facility owner shall be in responsible charge of facility operations, closure, and post closure monitoring and maintenance.

(1)	Applicant/owner/operator name:		
(2)	Applicant/owner/operator mailing address:		
(3)	Applicant/owner/operator telephone number:		
(4)	If different than above, identify the individual associated with and designated by the applicant/owner/operator to be the contact individual for matters concerning this facility:		
	(a) Name:	(b)	Title:
	(c) Mailing address:		
	(d) Telephone number:		
(5)	If the facility applicant/owner/operator is a corporation, partnership or other association, provide all of the following information as specified:		
	(a) The facility is owned by a: <input type="checkbox"/> corporation <input type="checkbox"/> partnership <input type="checkbox"/> other association		
	(b) State of incorporation/formation:		
	(c) Principal business address:		
	(d) Provide, on separate paper and attach/mark as Attachment II(6)(d), the names and addresses of all directors, officers and shareholders (*), if for a corporation; all partners (<i>whether general or limited</i>), if for a partnership; or all principals, members or participants, if for another type of association.		
	(*) For a privately held corporation, identify <u>all</u> shareholders. For a publicly traded corporation, identify all shareholders owning 10% or more of the corporation's equity or debt.		

SECTION III. FACILITY LIFE

Identify, by answering questions (1)-(2) below, the anticipated life expectancy of the facility. A permit-by-notification is issued for one of two operating scenarios: either for operating 90 days or less or operating longer than 90 days. If operated longer than 90 days, the facility must meet certain long-term operating obligations, as specified in Env-Wm 2800, including operator certification requirements pursuant to Env-Wm 3300 and annual reporting requirements.

For a facility having an active life of 90 days or less, the dates provided below shall constitute the approved active life of the facility, if a permit is issued (i.e., the facility shall not be authorized to operate outside these dates).

For a facility having an active life longer than 90 days, the future dates specified below shall be target dates only. The actual dates for commencing operation and closure shall be provided by the permittee (following permit issuance) by filing a "Notice of Intent to Operate" pursuant to Env-Wm 2805, and a "Notice of Intent to Close" pursuant to Env-Wm 2806. "Notice of Intent" forms may be obtained from the P&DRS at (603) 271-2925.

(1)	For a proposed facility, date facility operations are scheduled to commence: ____/____/____ OR For an existing unauthorized facility, date facility operations first commenced: ____/____/____
(2)	Total life expectancy of facility (<i>check one only</i>):
<input type="checkbox"/>	90 days or less (<i>specify date by which the facility shall cease receiving waste</i>): ____/____/____
<input type="checkbox"/>	Longer than 90 days (<i>answer (a) or (b) below as applicable</i>):
(a)	If date of facility closure is <u>known</u> , so indicate: ____/____/____ OR
(b)	If date of facility closure is <u>unknown</u> , specify total years the facility will most likely operate: ____ years

SECTION IV. FACILITY OPERATIONS

Complete this section to generally describe facility operations.

(1)	Type of waste material your facility will receive (<i>check all that apply</i>):
<input type="checkbox"/>	Mixed Municipal Solid Waste
<input type="checkbox"/>	Source Separated Recyclable Materials
(2)	Prohibited wastes
<input checked="" type="checkbox"/>	Asbestos
<input checked="" type="checkbox"/>	Explosives
<input checked="" type="checkbox"/>	Contained gaseous waste
<input checked="" type="checkbox"/>	Contaminated soils and other absorbent media
<input checked="" type="checkbox"/>	Out-of state waste, except for recycling
<input checked="" type="checkbox"/>	Ash
<input checked="" type="checkbox"/>	Liquid waste
<input checked="" type="checkbox"/>	Animal carcasses
<input checked="" type="checkbox"/>	White goods
<input checked="" type="checkbox"/>	Scrap metal mixed with other demolition or construction debris
<input checked="" type="checkbox"/>	Infectious waste
<input checked="" type="checkbox"/>	Tires
<input type="checkbox"/>	Other: (Identify. Be specific):

SECTION V. FACILITY CAPACITY

The information provided by answering questions (1)-(2) below shall constitute the approved facility capacity if a permit is issued.

(1)	Average quantity of waste the facility is designed to receive daily: ____ tons per day (*) (* This number shall not to exceed 30 TPD, averaged over active life of facility and on average annually)
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SECTION VI. OPERATING PLAN

For a facility having an active life of 90 days or less, skip this section.

For a facility having an active life longer than 90 days, you must prepare an Operating Plan, as specified by the enumerated instructions below. You are not required to submit the plan, but are required to make it available for use by facility operators and for inspection by DES upon request.

- (1) The facility Operating Plan shall provide sufficient detail to allow the certified operator and other trained facility personnel to operate the facility in compliance with RSA 149-M, the permit and the Rules without further explanation or guidance. See Env-Wm 2107.05, Env-Wm 2105, Env-Wm 2705, Env-Wm 2805, and Env-Wm 2904.
- (2) The Operating Plan shall be prepared as a loose leaf document to facilitate updating and amendment as specified in Env-Wm 315.
- (3) Each page of the Operating Plan shall bear the date of preparation or last revision, as applicable, and the facility name, location and permit number, if a permit is issued for the facility at the time that the operating plan or a modification thereto is prepared.
- (4) Prepare the Operating Plan according to the content and format requirements set forth in Env-Wm 2805.11.
- (5) Key points to consider when developing your Operating Plan are:
 - (a) All waste must be collected by the facility must be placed into a motor vehicle in accordance with Env-Wm 2105.05;
 - (b) Waste must be inspected prior to acceptance to assure that the facility only receives authorized waste, as described in Section IV of this form; and
 - (c) The facility must be operated in a manner which avoids dust, noise, traffic or other safety problems.
- (6) Always keep your Operating Plan up-to-date.

SECTION VII. CLOSURE PLAN

For a facility having an active life of 90 days or less, skip this section.

For facilities having an active life longer than 90 days, you are required to prepare a Closure Plan, as specified by the enumerated instructions below. You are not required to submit the plan, but are required to make it available for use by facility operators and for inspection by DES upon request.

- (1) The facility Closure Plan shall provide sufficient detail to allow a third party to implement and complete all required facility closure tasks in compliance with RSA 149-M, the permit and the Rules without further explanation or guidance. See Env-Wm 2106, Env-Wm 2706, Env-Wm 2806, and Env-Wm 2905.
- (2) The Closure Plan shall be prepared as a loose leaf document to facilitate updating and amendment as specified in Env-Wm 315.
- (3) Each page of the Closure Plan shall bear the date of preparation or revision, as applicable, and the facility name and permit number.
- (4) Prepare the Closure Plan according to the content and format requirements set forth in Env-Wm 2806.04.
- (5) Key points to consider when developing your Closure Plan are:
 - (a) Closure must be completed within 30 days of the date of last waste receipt or before the expiration date of the permit, whichever is earlier; and
 - (b) To close the facility, you must otherwise clean/restore the site per Env-Wm 2706.02.
- (6) Always keep your Closure Plan up-to-date.

SECTION VIII. CERTIFICATION OF COMPLIANCE

A permit-by-notification shall not be issued to applicants unable to certify compliance with the following statements. If unable to certify that each of the following statements are true, you may instead apply for a "standard permit" pursuant to Env-Wm 314. Contact the P&DRS at (603) 271-2925 for additional information.

COMPLIANCE STATEMENT

The applicant shall certify that each of the statements listed in (1)-(8) below are true for each of the following individuals and entities:

- ☐ the applicant/facility owner/facility operator;
- ☐ all individuals and entities holding 10% or more of the applicant's debt or equity;
- ☐ all of the applicant's officers, directors, and partners; and
- ☐ all individuals and entities having managerial, supervisory or substantial decision making authority and responsibility for the management of facility operations or the activity(s) for which approval is being sought.

- | | |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) | No individual or entity listed above has been convicted of or plead guilty or no contest to a felony in any state or federal court during the 5 years before the date of the application; |
| (2) | No individual or entity listed above has been convicted of or plead guilty or no contest to a felony in any state or federal court during the 5 years before the date of the application; |
| (3) | No individual or entity listed above has owned or operated any hazardous or solid waste facility which has been the subject of an administrative or judicial enforcement action for a violation of environmental statutes or rules during the 5 years before the date of the application; |
| (4) | No individual or entity listed above has been the subject of any administrative or judicial enforcement action for a violation of environmental statutes and rules during the 5 years before the date of the application; |
| (5) | All hazardous and solid waste facilities owned or operated in New Hampshire by any individual or entity listed above are in compliance with either:
(a) All applicable environmental statutes, rules, and DES permit requirements; or
(b) A DES approved schedule for achieving compliance therewith; |
| (6) | All individuals and entities listed above are in compliance with all civil and criminal penalty provisions of any outstanding consent agreement, settlement, or court order to which DES is a party; |
| (7) | All individuals and entities listed above have paid, or are in compliance with the payment schedule for any administrative fine assessed by DES; and |
| (8) | All individuals and entities listed above are in compliance with all terms and conditions under every administrative order, court order or settlement agreement relating to programs implemented by DES. |

Signature of the applicant certifying the above statements are true:

Applicant Name (Print Clearly or Type)

Applicant Signature

Date

SECTION IX. SIGNATURE REQUIREMENTS

All signatures on all copies filed with DES must be ORIGINAL signatures. Read each of the below statements carefully. These statements shall constitute terms and conditions of any permit issued. Note that the term "facility" as used below refers to operations covered by this permit.

Applicant Signature:

The applicant(s) must sign the following statement prior to submitting this application. All copies of the application filed with DES must bear the applicant's ORIGINAL signature(s). If the applicant is not an individual, the application shall be signed by an individual duly authorized by the applicant.

- | | |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) | The applicant/permittee owns the subject facility; |
| (2) | The applicant/permittee shall be in responsible charge of facility operations and closure; |
| (3) | The applicant/permittee has read, understands and shall comply with all requirements for the operation and closure of this facility, as provided in Env-Wm 2107.05, Env-Wm 2700, Env-Wm 2900 and, for a facility operating longer than 90 days, Env-Wm 2103 through Env-Wm 2106 and Env-Wm 2800. |
| (4) | The applicant/permittee shall regularly inspect waste received by this facility and assure that the facility shall NOT accept any of the following under the terms of this permit:
(a) Waste identified in Section IV (2);
(b) More than 30 tons of waste per day, averaged over the active life of the facility and on average annually; |
| (5) | For a facility having an active life longer than 90 days, at least 50% of the on-site personnel who are directly involved with the management of solid waste shall be operators who have been issued certification in accordance with Env-Wm 3300 and, for every 1 to 5 operators, there shall be at least one supervisor who is certified as a Level III or Level IV operator in accordance with Env-Wm 3300; |

(6)	<i>For a facility having an active life longer than 90 days, the applicant/permittee has prepared a facility Operating Plan which meets the requirements of Env-Wm 2805.11 and which, pursuant to Env-Wm 2902.02, shall be available for use by the facility operators and for inspection by DES;</i>
(7)	<i>For a facility having an active life longer than 90 days, the applicant/permittee has prepared a facility Closure Plan which meets the requirements of Env-Wm 2806.04 and which, pursuant to Env-Wm 2902.02, shall be available for use by the facility operators and for inspection by DES;</i>
(8)	<i>The applicant/permittee shall be financially responsible for closing the facility pursuant to the <u>Rules</u>;</i>
(9)	<i>Facility closure shall be completed within 30 days of the date of last waste receipt or the expiration date of the permit, whichever is earlier;</i>
(10)	<i>The applicant/permittee understands that DES may inspect this facility, including during construction, and that non-compliance with the terms and conditions of the permit may result in revocation or suspension of the permit, administrative fine, civil or criminal penalties, and/or administrative orders for corrective action;</i>
(11)	<i>The applicant/permittee understands that any approval granted by DES based on false and/or incomplete information shall be subject to revocation or suspension, and that administrative, civil or criminal penalties may also apply;</i>
(12)	<i>To the best of my knowledge and belief, the information and material submitted herewith is correct and complete;</i>
(13)	<i>I certify that this application is submitted on a complete and accurate form, as provided by the DES, without alteration of the text.</i>

Name of Permit Applicant/Property Owner **(Print Clearly or Type)**

Signature of Permit Applicant/Property Owner

Date

Property Owner Signature

If the applicant does not currently own the property where the subject facility will be sited, the property owner(s) must also sign this form as follows. All copies of the application filed with DES must bear the property owner's ORIGINAL signature(s). If the property owner(s) is not an individual, the application shall be signed by an individual duly authorized by the property owner.

(1)	<i>I hereby affirm that the applicant has or shall be granted the legal right to occupy and use the property on which the subject facility is or will be located for the purpose specified in this application.</i>
(2)	<i>I hereby agree to grant access to the property for closure and post-closure monitoring of the facility and site, as required by the New Hampshire Solid Waste Rules.</i>

Property Owner Name **(Print Clearly or Type)**

Joint Owner Name **(Print Clearly or Type)**

Property Owner Signature

Joint Owner Signature

Property Owner Mailing Address:

Joint Owner Mailing Address:

Date

Date